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8/10/01

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

RICKY SANDERS,	:	
Petitioner	:	CIVIL NO. 1:CV-01-1162
v.	:	(Judge Kane)
SUSAN GERLINSKI, Warden,	:	
Respondent	:	

FILED
HARRISBURG, PA

AUG - 9 2001

O R D E R

MARY E. D'ANDREA, CLERK
Per _____
Deputy Clerk

Background

This is a petition for writ of habeas corpus filed under 28 U.S.C. § 2241 by Ricky Sanders, an inmate currently incarcerated at the Allenwood Low Security Correctional Institution, White Deer, Pennsylvania. The petition was accompanied by a motion to proceed in forma pauperis.

A report from Sander's inmate commissary, or trust fund, account shows that his present balance is \$138.93. Federal law requires the petitioner in a habeas corpus action to pay a filing fee of \$5.00. 28 U.S.C. § 1914(a). The court determines that Sanders has sufficient resources to pay the entire amount. Accordingly, Sanders will be directed to respond to this order in one of the four manners described below within twenty (20) days.

If he fails to respond to this order within twenty (20) days, his motion to proceed in forma pauperis will be denied and his action will be dismissed.

NOW, THEREFORE, THIS *8th* DAY OF AUGUST, 2001, IT IS ORDERED THAT:

1. Within twenty (20) days of the date of this order the petitioner must send to "Clerk, U.S. District Court, P.O. Box 1148, Scranton, PA 18501," either:
 - a. A check or money order in the amount of \$5.00 payable to "Clerk, U.S. District Court"; if this fee is received, the prisoner's motion to proceed in forma pauperis will be denied as moot and service of the complaint will be ordered.
 - b. A written request for a reasonable extension of time in which to make the payment.
 - c. A written explanation demonstrating that he lacks access to sufficient funds to make the payment; the prisoner's explanation should include a statement of the source of the funds deposited in

- his trust fund, or commissary, account
in the preceding six (6) months and
reasons for the withdrawals, or
- d. A written description of special
circumstances which he believes warrant
excusing him from paying the fee as
indicated above.
2. If the petitioner fails to respond to this order
within twenty (20) days, his motion to proceed in
forma pauperis will be denied and his action will
be dismissed.



YVETTE KANE
United States District Judge

YK:dlb

UNITED STATES DISTRICT COURT
FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA

* * MAILING CERTIFICATE OF CLERK * *

August 9, 2001

Re: 1:01-cv-01162 Sanders v. Gerlinski

True and correct copies of the attached were mailed by the clerk to the following:

Ricky Sanders
LSCI-ALLENWOOD
Low Security Correctional Inst.
02184-000
P.O. Box 1000
White Deer, PA 17887

cc:		
Judge	(<input checked="" type="checkbox"/>)	(<input checked="" type="checkbox"/>) Pro Se Law Clerk
Magistrate Judge	(<input type="checkbox"/>)	(<input type="checkbox"/>) INS
U.S. Marshal	(<input type="checkbox"/>)	(<input type="checkbox"/>) Jury Clerk
Probation	(<input type="checkbox"/>)	
U.S. Attorney	(<input type="checkbox"/>)	
Atty. for Deft.	(<input type="checkbox"/>)	
Defendant	(<input type="checkbox"/>)	
Warden	(<input type="checkbox"/>)	
Bureau of Prisons	(<input type="checkbox"/>)	
Ct Reporter	(<input type="checkbox"/>)	
Ctroom Deputy	(<input type="checkbox"/>)	
Orig-Security	(<input type="checkbox"/>)	
Federal Public Defender	(<input type="checkbox"/>)	
Summons Issued	(<input type="checkbox"/>)	with N/C attached to complt. and served by: U.S. Marshal (<input type="checkbox"/>) Pltf's Attorney (<input type="checkbox"/>)
Standard Order 93-5	(<input type="checkbox"/>)	
Order to Show Cause	(<input type="checkbox"/>)	with Petition attached & mailed certified mail to: US Atty Gen (<input type="checkbox"/>) PA Atty Gen (<input type="checkbox"/>) DA of County (<input type="checkbox"/>) Respondents (<input type="checkbox"/>)
Bankruptcy Court	(<input type="checkbox"/>)	
Other _____	(<input type="checkbox"/>)	

MARY E. D'ANDREA, Clerk

DATE: _____

BY: _____
Deputy Clerk

8-9-01